



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

INVESTIGATOR'S REPORT ON APPEAL OF ADMINISTRATIVE FINE

CASE NUMBER: COD2005-00072
CASE NAME: KEITH GUY
APPEAL DATE: OCTOBER 7, 2005
INVESTIGATOR: KARI SCAMARA

Case initiated: August 24, 2005 –I responded to complaint regarding unpermitted grading.
First viewed: August 24, 2005

Violation seen from: Avila Valley Road

Entry necessary? No

Entry explanation: No entry necessary because the violation could be seen from a public road. Additionally, the building inspector determined an excessive amount of dirt (75 cubic yards) was moved.

Description of violation: On August 24, 2005 I received a referral from David Rose, County Building Inspector, regarding grading in excess of permitted scope with no additional permits authorizing grading. Mr. Rose was at the site on August 23, 2005 to provide a consultation for grading permit 2003-03539. During this inspection, Building Inspector Rose placed a Stop Work Order on the project due to "excessive grading and construction of road into open space on hill in back of house that is not approved under project description for permit 2003-03539." The road is approximately 12 feet wide and 50 feet long on an approximately 20% slope. An estimated 75 cubic yards of dirt was displaced according to Building Inspector Rose. The road was created without the required grading permit per SLOCC 22.52.040 – Grading Permit Required. Based on the amount of dirt moved (greater than 50 cubic yards) a grading permit would have been required for this portion of road alone.

Was compliance achieved by due date? No

Was extension given or asked for? No

Summary follows: On August 29, 2005 (as a result of a confirmed permit violation) Mr. Guy was issued an Administrative Fine in the amount of \$500 (issued at the highest level due to the environmental damage caused by the unpermitted grading). On September 6, 2005 Mr. Guy appealed the administrative fine.

Was Fine mailed or delivered in person? The fine was mailed (certified and regular) on August 29 2005. Receipt for the certified letter was received on September 6, 2005.